

FORM 10: Cover Letter Transmitting Inspection Report and Notice of Violation (includes optional paragraphs for inclusion of a Notice of Nonconformance and/or "apparent" violations) (Non-Licensee)

EA-YY-XXX (If applicable)

(Name of Company)

(Address)

SUBJECT: NRC [include type of inspection] INSPECTION REPORT
NO(S). XX-XXX/YY-NN [if applicable, add "AND (INVESTIGATION
REPORT NO(S). X-XXXX-XXX)"] AND NOTICE OF VIOLATION [if applicable, add
"AND NOTICE OF NONCONFORMANCE"]

Dear _____:

This refers to the inspection conducted on (date(s)) at the (plant name) facility in (City, State).
["The inspection was conducted as a result of the" or "The inspection was conducted to" or "The purpose
of the inspection was"] (brief explanation). The enclosed report presents the results of this
inspection. [Any subsequent meetings and/or telephone discussions should be documented.]

Based on the results of this inspection, the NRC has determined that a violation(s) of NRC requirements
occurred. [Alternatively, for violations associated with green SDP findings, use: Based on the results of
this inspection, the NRC has identified issues that were evaluated under the risk significance
determination process as having very low safety significance (green). The NRC has also determined that
violations are associated with these issues.] The(se) violation(s) is (are) cited in the enclosed Notice of
Violation (Notice) and the circumstances surrounding it (them) are described in detail in the subject
inspection report. The violation(s) is (are) being cited in the Notice because [an explanation MUST be
included that clearly articulates why an NOV is being issued in terms of the Section VI.A criteria they
met. This explanation may be expanded, where warranted, to convey the appropriate message to the
licensee in terms of those actions that require additional attention. In addition, for Severity Level IV
citations beyond the normal Section VII.A criteria, this explanation shall include the basis for issuing the
citation, notwithstanding the normal policies.]

¹You are required to respond to this letter and should follow the instructions specified in the enclosed
Notice when preparing your response. [Other specific responses required should be addressed as

¹ For Severity Level IV violations where the region has determined that no response is required, the following
paragraph may be substituted:

The NRC has concluded that information regarding the reason for the violation, the corrective actions
taken and planned to correct the violation and prevent recurrence is already adequately addressed on the
docket in [indicate correspondence, e.g., Inspection Report No. XX-XXX/YY-NN, LER YY-NNN, or
letter from company] dated _____. Therefore, you are not required to respond to this letter unless the
description therein does not accurately reflect your corrective actions or your position. In that case, or if
you choose to provide additional information, you should follow the instructions specified in the enclosed
Notice.

The last paragraph of the letter referencing the responses directed by the letter and Notice should also be deleted.

appropriate.] The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

²In addition, during this inspection it was found that the implementation of your Quality Assurance (QA) program failed to meet certain NRC requirements. [Add a sentence or two that summarizes the most important findings.] The specific findings and references to the pertinent requirements are identified in the enclosures of this letter.

Please provide us within 30 days from the date of this letter a written statement in accordance with the instructions specified in the enclosed Notice of Nonconformance.

³Finally, (number) apparent violation(s) was (were) identified and is (are) being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. [Include either: "(enclosed)" or "The current Enforcement Policy is included on the NRC's Web site at www.nrc.gov; select **What We Do, Enforcement**, then **Enforcement Policy**."]. [The narrative that follows should briefly discuss the nature of the apparent violation(s).] Accordingly, no Notice of Violation is presently being issued for these inspection findings. Please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review.

An open (A closed) predecisional enforcement conference to discuss this (these) apparent violation(s) has been scheduled for (date). The decision to hold a predecisional enforcement conference does not mean that the NRC has determined that a violation has occurred or that enforcement action will be taken. This conference is being held to obtain information to enable the NRC to make an enforcement decision, such as a common understanding of the facts, root causes, missed opportunities to identify the apparent violation sooner, corrective actions, significance of the issues and the need for lasting and effective corrective action. [If appropriate, add: "In particular, we expect you to address _____."] In addition, this is an opportunity for you to point out any errors in our inspection report and for you to provide any information concerning your perspectives on 1) the severity of the violation(s), 2) the application of the factors that the NRC considers when it determines the amount of a civil penalty that may be assessed in accordance with Section VI.C.2 of the Enforcement Policy, and 3) any other application of the Enforcement Policy to this case, including the exercise of discretion in accordance with Section VII.

You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding the(se) apparent violation(s) is required at this time.

² This paragraph and the next paragraph should be included if a Notice of Nonconformance is to be issued in conjunction with the NOV.

³ This paragraph and the next paragraph should be included for those apparent violations, if any, that are being considered for escalated enforcement action.

⁴In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure(s), and your response (if you choose to provide one) will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

Sincerely,

(Division Director)

(Division)

(Office)

Docket No. _____

Enclosure(s): Notice of Violation
(Notice of Nonconformance)
(Enforcement Policy)

⁴ For those packages containing Safeguards Information, remove this paragraph and replace with:

The material enclosed herewith contains Safeguards Information as defined by 10 CFR Part 73.21 and its disclosure to unauthorized individuals is prohibited by Section 147 of the Atomic Energy Act of 1954, as amended. Therefore, the material will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.